

REMARKS

The Office Action mailed September 26, 2003 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-141 were pending in the application, with claims 54-60, 62-65, and 70-141 withdrawn from consideration. Claims 1, 22, 23, 50, 70, and 140 have been amended, claims 21, 54-60, 62-65, 71-139, and 141 have been cancelled and claims 142 and 143 have been newly added. Therefore, claims 1-20, 22-53, 61, 66-70, 140, 142, and 143 are pending in the application with claims 70, 140, 142, and 143 being currently withdrawn.

This Amendment adds, changes, and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

Preliminarily, with respect to the restriction of claims 70 and 140, applicants note that system and software claims (70 and 140) should be rejoined with process claim 1 if the system and software claims have the same limitations as the process claims that are held allowable. See literally the tens of thousands of patents that have issued with corresponding claims in each of these statutory classes. Also, the remaining withdrawn claims have been cancelled in the instant amendment. Paragraph 1 of the Office Action erroneously notes that these had been canceled earlier.

Claims 50-53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Amended claim 50 recites that the integrated financial management account is provided on an Internet website which links to additional financial services that may be requested by a client. This is an additional limitation to those recited in claim 1 and further limits the scope of claim 1. Accordingly, the pending claims 50-53 are believed to be in definite form and meet the requirements of § 112, second paragraph.

With respect to the objection to the drawings, applicant will submit formal drawings upon indication of allowable subject matter.

In the Office Action, claims 1-49, 61, and 66-69 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,131,810 to Weiss et al. (hereafter "Weiss"). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 recites a computer implemented method of providing a client with an integrated financial management account that includes, *inter alia*, (1) receiving the application data for the integrated financial management account online directly from the client; (2) associating an investment asset to the investment component contemporaneous with setting up the integrated financial management account (and even before a loan in the loan component is approved, for instance). Dependent claim 22 recites that (3) contemporaneous with setting up the integrated financial management account, associating a portfolio insurance selected by the client with an insurance component which is also a part of the integrated financial management account. None of these recited features is disclosed or suggested by Weiss.

Specifically, with respect to feature (1), Weiss does not disclose or suggest that “application data” for the integrated financial management account is **received online directly from the client** which allows the client to directly open the account online with requiring a bank user or greeter being required to input the application data as is required by Weiss. As shown, for example, in Fig. 2A and col. 5, line 20-22, and Col. 7, lines 50-57, Weiss clearly teaches that the new application data is input into the computer system by a bank user (or greeter) rather than directly online by a client as recited in claim 1. In sharp contrast, the features recited in claim 1 require that the integrated financial management account be directly entered online by the client. See, for example, pages 16-23 of the specification that discloses this claimed feature. Accordingly, this recited feature in claim 1 is not disclosed or suggested by Weiss.

With respect to feature (2), claim 1 provides for associating an investment asset to the integrated financial management account contemporaneously with setting up of the integrated financial management account that includes an investment component and a loan component. This allows the client to receive the returns (or appreciation) on the investment account even before any loan in the loan component has been approved or disbursed. This recited feature is also not disclosed or suggested by Weiss. Furthermore, the office action alleges on page 4 (last sentence) that “[t]hese steps help the account holders to start earning returns on their investment *as soon as the loan proceeds are disbursed* and also helps the system avoid unnecessary investment data if the loan is rejected,” (emphasis added) which is very different

from the claimed contemporaneous crediting of the investment asset as part of the account opening process (and earning returns and appreciation thereon) *even before the loan proceeds are disbursed*. Therefore, this recited feature and its advantages is not disclosed or suggested by Weiss.

In this regard, applicants submit that use of Official Notice for features that are not disclosed in the applied prior art and are not capable of instant and unquestionable demonstration is inappropriate. If the examiner is to maintain this rejection, the examiner is respectfully requested to cite prior art that discloses the claimed features. See MPEP §2144.03 (C).

With respect to feature (3), dependent claim 22 recites providing the client with portfolio insurance contemporaneous with setting up the integrated financial management account. This provides the advantage that a portfolio in the investment component can be insured from market fluctuations while also providing security to the provider of the integrated financial management account. This recited feature is also not disclosed or suggested by Weiss. Specifically, Weiss discloses providing property, health, or life insurance in an integrated account. See, for example, col. 4, lines 39-41 of Weiss. However, all of these types of insurance are unrelated to the integrated financial management account itself or its investment component since they are related to the client or their property that is not associated with a component of the integrated financial management account. In contrast, the claimed portfolio insurance can be used to manage the risk of the investment component of the integrated financial management account. Therefore, neither this recited feature nor its advantages are disclosed or suggested by Weiss. Therefore, this feature provides an additional reason for the patentability of claim 22 in addition to the features recited in claim 1 on which it depends.

Accordingly, for these reasons, pending independent claim 1 and is believed to be patentable over Weiss. Likewise, currently withdrawn claims 70 and 140 are also believed to be patentably distinguishable over Weiss for at least the same reasons.

The dependent claims are also in condition for allowance for at least the same reasons, as discussed above, as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. For example, as

discussed above, dependent claim 22 and newly added claims 142-143 recite features that are also patentably distinguishable from the disclosure of Weiss.

In view of the foregoing amendments and remarks, applicants submit that the application is now in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is courteously invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

Respectfully submitted,

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FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5485

Facsimile: (202) 672-5399

By Aaron C. Chatterjee

William T. Ellis

Registration No. 26,874

Aaron C. Chatterjee

Registration No. 41,398

Attorneys for Applicants